

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

UNITED STATES OF AMERICA) Case No. 1:21-cr-113-4
)
v.) Judge Atchley
)
ROBERT COTHERN) Magistrate Judge Steger

ORDER

U.S. Magistrate Judge Christopher H. Steger filed a report and recommendation [Doc. 73] recommending that the Court: (1) grant Defendant's motion to withdraw his not guilty plea to Count Twelve of the thirteen count Superseding Indictment; (2) accept Defendant's guilty plea to Count Twelve of the thirteen count Superseding Indictment; (3) adjudicate Defendant guilty of maintaining premises for the purpose of distributing, possessing with intent to distribute, and using controlled substances, in violation of 21 U.S.C. § 856(a)(1); and (4) order that Defendant remain in custody pending sentencing or further order of this Court.

After reviewing the record, the Court agrees with Magistrate Judge Steger's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation [Doc. 73] pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not guilty plea to Count Twelve of the thirteen count Superseding Indictment is **GRANTED**;
2. Defendant's plea of guilty to Count Twelve of the thirteen count Superseding Indictment is **ACCEPTED**;

3. Defendant is hereby **ADJUDGED** guilty of maintaining premises for the purpose of distributing, possessing with intent to distribute, and using controlled substances, in violation of 21 U.S.C. § 856(a)(1); and
4. Defendant **SHALL REMAIN** in custody until further order of this Court or sentencing in this matter which is scheduled to take place on **August 10, 2023, at 10:00 a.m.**

SO ORDERED.

/s/ *Charles E. Atchley, Jr.*
CHARLES E. ATCHLEY, JR.
UNITED STATES DISTRICT JUDGE